

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: WISCONSIN

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Enforcement of Compliance for Nursing Facilities

Temporary Management: Describe the criteria (as required at §1919(h)(2)(A)) for applying the remedy.

☒ Specified Remedy

(Will use the criteria and notice requirements specified in the regulation.)

☐ Alternative Remedy

(Describe the criteria and demonstrate that the alternative remedy is as effective in deterring non-compliance. Notice requirements are as specified in the regulations.)

Temporary manager. (Authority to appoint a temporary manager is found in 42 CFR 488.406 and 488.410.)

If the state chooses not to initiate immediate termination of a facility's provider agreement, it shall appoint a temporary manager whenever a facility is cited for a situation immediately jeopardizing the health or safety of the facility's residents. If the facility fails to relinquish control to the temporary manager, the State must terminate the provider agreement within 23 calendar days of the last day of the survey, if the immediate jeopardy is not removed. If the facility relinquishes control of the facility to the temporary manager, the State must notify the facility that, unless it removes the immediate jeopardy, its provider agreement will be terminated within 23 calendar days of the last day of the survey.

The state may appoint a temporary manager whenever a facility has widespread violations creating non-immediate jeopardy.